

10-05-06

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Atty. Dkt. No. 040373-0309



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eiji KASUTANI

Title: IMAGE RETRIEVING
APPARATUS, IMAGE
RETRIEVING METHOD AND
RECORDING MEDIUM FOR
RECORDING PROGRAM TO
IMPLEMENT THE IMAGE
RETRIEVING METHOD


Appl. No.: 09/955,142

Filing Date: 9/19/2001

Examiner: Dunn, Mishawn N.

Art Unit: 2616

Confirmation 8365
Number:

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 830405346 US	October 3, 2006
(Express Mail Label Number)	(Date of Deposit)
Ruthie Vallejo	
(Printed Name)	
	
(Signature)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

RELEVANCE OF EACH DOCUMENT

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Examiner in the corresponding Japanese patent application has commented as follows:

Claims 1, 3, 5-6, 8, and 10-11

- Cited Literature 1

- Remarks

Cited Literature 1 is found to describe a moving image search system wherein the features of each frame making up the

moving image are extracted and associated with the frame, input of search conditions is received from the user, frames associated with features matching the features of the search conditions are searched, and all the ones which match the search conditions are displayed ((0004)).

Therefore, comparing the inventions according to Claims 1, 3, 6, and 8 and the invention described in Cited Literature 1, “all the ones which match the search conditions” in the invention relating to Cited Literature 1 corresponds to “frame features for which the similarity satisfies predetermined conditions are combined into at least one group” of Claims 1, 3, 6 and 8; furthermore, “all frames which match the search conditions are displayed” corresponds to “at least one frame feature with the highest similarity is selected within the group. . . And the image having the selected frame feature is presented as the search results” of Claims 1, 3, 6 and 8.

Therefore, the inventions relating to Claims 1, 3, 5–6, 8, and 10–11 could have been easily invented by a person skilled in the art based on the invention described in Cited Literature 1.

No remarkable difference is found in an arrangement whereby two or more groups are simply combined in a frame feature combination means.

If any reasons for rejection are newly discovered, a Notification of Reasons for Rejection will be issued.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication
H10-207897

Record of Prior Art Literature Search Results

- Fields searched IPC

 G06F 17/30

- Prior art literature

Japanese Unexamined Patent Application Publication 2000-
259832

This Record of Prior Art Document Search Results does not
constitute a reason for rejection.

Although Applicant believes that no fee is required for this Request, the
Commissioner is hereby authorized to charge any additional fees which may be required for
this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date 3 October 2006

By Ronald Coslick

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (310) 975-7964
Facsimile: (310) 557-8475

Ronald Coslick
Attorney for Applicant
Registration No. 36,489

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: October 3, 2006 (use as many sheets as necessary)			Complete if Known	
Application Number			09/955,142	
Filing Date			9/19/2001	
First Named Inventor			Eiji KASUTANI	
Group Art Unit			2616	
Examiner Name			Dunn, Mishawn N.	
Attorney Docket Number			040373-0309	

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.